

APPEAL NO. 021105
FILED JUNE 24, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on March 27, 2002. The hearing officer determined that appellant (claimant) is not entitled to supplemental income benefits for the ninth quarter. Claimant appealed this determination on sufficiency grounds and also complains of the exclusion of evidence. Respondent (carrier) responded that the Appeals Panel should affirm the hearing officer's decision and order.

DECISION

We affirm.

We have reviewed the complained-of determination and conclude that the issue involved fact questions for the hearing officer. The hearing officer reviewed the record and decided what facts were established. We conclude that the hearing officer's determination is not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986). We also reject claimant's assertions regarding the hearing officer's bias and misapplication or mischaracterization of the law and/or the facts. We perceive no reversible error.

Claimant complains that the hearing officer abused her discretion in excluding an exhibit that claimant asserts shows a job search on December 24, 2001. It was not exchanged until March 11, 2002. The hearing officer properly excluded this document because it was not timely exchanged. The hearing officer did not accept claimant's assertion that he was unable to obtain this document earlier and did not find good cause for the failure to timely exchange the document. See Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 142.13(c) (Rule 142.13(c)). We perceive no abuse of discretion.

We affirm the hearing officer's decision and order.

The true corporate name of the insurance carrier is **AMERICAN HOME ASSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS, SUITE 750, COMMODORE 1
AUSTIN, TEXAS 78701.**

Judy L. S. Barnes
Appeals Judge

CONCUR:

Philip F. O'Neill
Appeals Judge

Roy L. Warren
Appeals Judge